

*Criminal Code*

Mr. "E"

He reiterated that the strap had neither done any good or harm to him. He thought that corporal punishment showed the futility of trying to control outbreaks in institutions.

Mr. "F"

He did not think that the threat of corporal punishment would keep him out of trouble in any institution if he was not treated as he thought he should be treated. Other forms of punishment were more effective, and corporal punishment did much more harm than good.

Mr. "G"

His own recent experience in penitentiary indicated that there were better means of punishment than the strap. The loss of good time, the deprivation of various privileges, hurt more than having corporal punishment.

Mr. "I"

This witness stated that for a time after corporal punishment he was extremely hostile to authority and to his fellow inmates, and it was apparent that talking about his experience almost 19 years later aroused considerable emotion in him. He felt it was a degrading punishment, and the fact that it was degrading aroused violent hostility.

Mr. "J"

He claimed the strapping had not influenced his subsequent conduct in institutions. It had not affected his conduct outside of institutions because his two most serious crimes had been committed after the strapping. He attributed his successful rehabilitation to the fact that he had learned a trade during his penitentiary sentence and that he had "just got fed up doing time".

For him, solitary confinement and deprivation of diet were much more serious punishments than the strapping. He stated however, that other people could take solitary confinement in their stride. Strapping, however, simply provoked hostility and the desire to get even and did no good by way of reforming the conduct of an inmate.

Those remarks, sir, are taken from the evidence presented to the joint committee of the House of Commons and Senate on capital and corporal punishment and lotteries. I am convinced that if hon. members will investigate this subject, study the history of penology, have personal conversations not only with those who have received corporal punishment but also with psychologists, psychiatrists, wardens and guards they will be informed by them and will reach the conclusion that corporal punishment serves no useful purpose because it merely creates antagonism in the mind of the individual receiving it. In most cases the antagonism does not arise because of the physical suffering but because of the degradation involved in this barbarous form of punishment.

I think it is safe to say that in recent years the policy of the Department of Justice has been to have our penitentiaries serve to the highest degree possible as means of training and rehabilitating those who are incarcerated therein because they have broken the

[Mr. Winch.]

law of society. In my visits to such institutions over the years I have found a great change. In recent years more is being done in terms of offering the inmates psychological analysis, psychiatric advice and training in morals, socially acceptable behaviour patterns and social responsibilities. It seems the height of stupidity to spend the amount of the taxpayers' money we do in attempting to rehabilitate these men and make them useful citizens and then because of the brutality involved in the principle of corporal punishment undo in a matter of minutes the good work that has been done.

The irony of this situation is emphasized when we read some of the sentences that are brought down by learned gentlemen of the bench. I am glad to say there are only a few judges in Canada who follow the practice but we sometimes do read of a learned judge who in passing sentence on an offender stipulates that in addition to a term of imprisonment corporal punishment is to be administered on two separate occasions. I read of an instance of that only recently. A young man was given a short sentence and ten strokes of the strap to be administered on two occasions.

I invite hon. members to consider what takes place. A young man is sentenced to an institution and approximately two weeks after admission receives half the number of strokes of the strap stipulated in the sentence he has been given. For the balance of his imprisonment the warden, deputy warden, guards, chaplain, teachers and psychologists combine in an effort to make him a useful citizen, teach him a trade, give him a new outlook on life and orient him from anti-social to social behaviour. And then what happens? Just before the boy is released he must undergo the degradation of having the balance of his sentence of corporal punishment administered. His feeling of resentment and hostility toward society returns and all the good work has been nullified in a matter of moments. This process has been described to me on many occasions by wardens and deputy wardens and others in the penitentiaries I have visited across Canada. It is time that we began to use a little common sense in this regard.

I would have very much liked to bring in a bill which goes further than the one before us and perhaps I should have done so, calling for the complete abolition of corporal punishment in Canada as part of a judicial sentence and as a means of discipline inside a penal